

JUDGE KAPLAN

09 CIV

3476

UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATIONA CERTIFIED TRUE COPY
ATTEST

By Jakela Mells on Apr 06, 2009

FOR THE UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATIONUNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

Mar 19, 2009

FILED
CLERK'S OFFICE

APR 13 2009

RICHARD W. WIEMER, No. 2017
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAIN RE: LEHMAN BROTHERS HOLDINGS, INC.,
SECURITIES & EMPLOYEE RETIREMENT
INCOME SECURITY ACT (ERISA) LITIGATIONC 09-0877 WHTA
(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-3)

On February 9, 2009, the Panel transferred nine civil actions to the United States District Court for the Southern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* ___ F.Supp.2d ___ (J.P.M.L. 2009). Since that time, four additional actions have been transferred to the Southern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Lewis A. Kaplan.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of New York and assigned to Judge Kaplan.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Southern District of New York for the reasons stated in the order of February 9, 2009, and, with the consent of that court, assigned to the Honorable Lewis A. Kaplan.

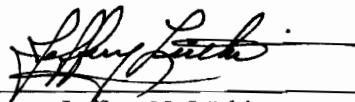
This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of New York. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

Apr 06, 2009

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel

**IN RE: LEHMAN BROTHERS HOLDINGS, INC.,
SECURITIES & EMPLOYEE RETIREMENT
INCOME SECURITY ACT (ERISA) LITIGATION**

MDL No. 2017

SCHEDULE CTO-3 - TAG-ALONG ACTIONS

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
CALIFORNIA CENTRAL CAC 2 09-1501	City of Long Beach v. Richard S. Fuld, Jr., et al.
CALIFORNIA EASTERN CAE 1 09-391	County of Tuolumne v. Ernst & Young, LLP, et al.
CALIFORNIA NORTHERN CAN 3 09-875 CAN 3 09-876 SCAN 3 09-877 CAN 3 09-926	City of Auburn v. Richard S. Fuld, Jr., et al. City of Burbank v. Richard S. Fuld, Jr., et al. City of San Buenaventura v. Richard S. Fuld, Jr., et al. City of Freemont v. Citigroup Global Markets, Inc., et al.
CONNECTICUT CT 3 09-305	Eric Taussig v. Richard S. Fuld, Jr.